ACTS

OF

ASSEMBLY,

PASSED in the

CHARIBBEE LEEWARD ISLANDS.

From 1690, to 1730.

LONDON,
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ACTS

OF

ASSEMBLY,

PASSED IN THE

CHARIBBEE ISLANDS,

FROM 1766, TO 1780.

THE

TABLE

Of the General ACTS

OF THE

LEEWARD Islands.

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THE LAWS OF THE *LEEWARD* Islands.

An Act for appointing Commissioners and an Agent to negotiate and manage the Affairs of the Leeward *Islands, as also for the settling a Fund for the defraying of the Expence and Charge of such Negotiation, and procuring of divers Necessaries for the Use and Benefit of the said Islands.* — N° 1. Expired.

Dated the 8th *November*, 1690.

An Act for supplying the Fleet with some Provisions, and settling of the Methods of procuring the same, and likewise — N° 2. Expired.

wise for the further rewarding and encouraging the Soldiers who served in the late Expedition in the Island of St. Christopher's, *against the* French.

Dated the 8th *November*, 1690.

No 3. Expired.

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Dated 27 *March*, 1691.

No 4. Expired in part, and the rest obsolete.

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No 5. Expired.

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Dated 21 *August*, 1691.

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An Act for settling General Councils and General Assemblies for the Leeward *Islands.*

Dated 12 *August*, 1692.

No 7. Expired.

An Act for continuing an Act made by the Governor in chief, General Council, and General Assembly in Antigua, *bearing Date the Eighth Day of* November, *in the Second Year of their Majesties Reign*, 1690. *for the appointing*

ing Commissioners and Agent to manage the Affairs of the Leeward *Islands, as also for settling a Fund for defraying the Expences and Charges of such Negotiation, and procuring divers Necessaries for the Use and Benefit of the said Islands.*

Dated 12th *August*, 1692.

An Act impowering certain Persons to recover, for the use of the Leeward *Islands, from Major* Joseph Crisp, *and others, concerned in the Produce of ninety three Barrels of Brandy, or so much thereof as was not imployed for the publick Service, according to the Trust reposed in the said Major* Crisp, *in that Behalf.* No 8. Expired.

Dated 13th *August*, 1692.

An Act for continuing an Act, intituled, An Act for the speedy getting in the Plunder and Debts due to the Army that served in the Expedition against St. *Christopher*'s. No 9. Expired.

Dated 13th *August*, 1692.

An Act prohibiting the Exportation of Provisions, Liquors, Arms, and Ammunition, from any of these Islands to St. Thomas's, *or any Neuter Port.* No 10. Expired.

Dated 31st *August*, 1694.

An Act against Jews ingrossing Commodities imported in the Leeward *Islands, and trading with the Slaves belonging to the Inhabitants of the same.* No 11. Repealed by Act of 10 Dec. 1701.

Dated 31st *August*, 1694.

N° 12. Confirmed.

An Act ascertaining the Value of Foreign Coins in the Charibbee Leeward *Islands.*

WE your Majesties most loyal, dutiful, and obedient Subjects, the Governor in Chief of the *Charibbee Leeward* Islands, and the General Council, and General Assembly, pray your most Excellent Majesties that it may be enacted, and be it, and it is hereby enacted by the Authority aforesaid, That each Piece of Eight of *Sevill*, *Mexico*, and *Pillar*, and each *French* Crown, shall be current and pass for Six Shillings current Money, a *Perue* Piece of Eight at Five Shillings, and all Monies whatsoever of those Coins aforesaid, shall in all Payments whatsoever be proportionably rated (except the Eighth part of a *Perue* Piece of Eight, commonly called *A Seven Pence Half-peny*) shall be current and pass for Nine-pence; any Law, Custom, or Usage to the contrary notwithstanding.

Value of Coins.

II. And it is further enacted, That whosoever shall, for base Lucre, by any Ways or Means, coin, falsify, impair, diminish, seal, wash, clip, file, or lighten any of the Money aforesaid, or any other Money current in these Islands, shall be guilty of Felony, and shall suffer Death for the same without Benefit of Clergy; any Law, Custom, or Usage to the contrary notwithstanding.

Felony without Benefit of Clergy, to coin, falsify, &c. the Money.

Dated in Antigua *the last Day of* August, *in the Sixth Year of the Reign of our Sovereign Lord and Lady King* William *and Queen* Mary, Anno Domini 1694.

Chr. Codrington.

N° 13. Expired.

A supplemental and explanatory Act to an Act, appointing Commissioners and an Agent to negotiate and manage the Affairs of the Leeward *Islands*, &c.

Dated 31st *August*, 1694.

ANTIGUA.

An Act to prevent Disputes in electing Assembly-men to serve in General Assemblies. No 14.

TO prevent and avoid all Disputes that may arise in electing Members of all General Assemblies for the future in the respective Islands, whereby the publick Affairs may be retarded, to the Damage of all the Islands:

II. WE your Majesties loyal and obedient Subjects, the Governor in Chief, and the General Council, and General Assembly of the *Charibbee Leeward* Islands, pray your most Sacred Majesty that it may be enacted, and be it, and it is hereby enacted by the Authority of the same, That the Governor in Chief, or Lieutenant or Deputy-governor, President or Presidents, and the major part of the Council and Assembly for the time being of each Island, shall order the Secretary or Deputy Secretary of each respective Island, upon Oath in their Presence, at such Time and Place as their Majesties Writs shall direct, to take the Freeholders Votes of each Island in Manner and Form as they shall direct, to their Knowledge, admitting no Vote but what shall be made by a Freeholder of the respective Island in Person; and after all Votes are so taken, then and there publickly declare upon whom the Elections fall by plurality of Votes.

Governor, &c. to order the Secretary to take the Votes of the Freeholders on Oath in their Presence,

and admit no Vote but a Freeholder's, and shall declare who is elected.

III. AND if any Disputes happen concerning the Election of any Person, the chief Governor, Lieutenant or Deputy-governor, President or Presidents, and the major part of the Council and Assembly, then and there shall be Judges of, and decide, and determine all such Disputes; any Law, Custom, or Usage to the contrary notwithstanding.

By whom Disputes concerning Elections shall be determined.

Dated in Antigua *the last Day of* August, *in the Sixth Year of the Reign of our Sovereign Lord and Lady King* William *and Queen* Mary, Anno Domini *One thousand six hundred ninety four.*

Chr. Codrington.

ANTIGUA.

An Act to make the Country Bonds given in the Secretary's Office in each Island, for the Use of the Creditors of such Persons as shall be carried off without a Ticket. No 15.

WHEREAS several Debtors have been and may be candestinely carried off these Islands, to the defrauding of all their Creditors, and the undoing of some, by reason the Country Bonds, given in the Secretaries

cretaries Offices, are to their Majesties and their Successors, therefore cannot be sued and recovered to the Use of their Creditors so aggrieved, as designed. For the Prevention whereof, and for the better securing the Creditors aforesaid,

II. We your Majesties most dutiful and obedient Subjects, the Governor in Chief of the *Leeward Charibbee* Islands, and the General Council, and General Assembly, pray your most Excellent Majesties that it may be enacted, and be it, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful for the Justice or Justices of any of the Courts of Common Pleas within these Islands, and they and every of them are hereby required, upon the Petition of any Person or Persons aggrieved by the carring off any Person or Persons from either or any of these Islands without a lawful Ticket, to issue forth a *Scire Facias* against such Master, Skipper, or other Person, taking charge of any Vessel, which hath carried off any Person without a lawful Ticket, his Security or Securities, or either of them, commanding him or them to appear at the next Court of Common Pleas of the Island where the Offences shall be committed, or Damage done, to shew cause why he doth not satisfy such Damage, or else why Judgement shall not be entered for their Majesties for the whole Penalty of the said Bond.

Judge of the Common Pleas shall grant a Warrant against Master of Vessel, &c. carrying off any Person without a Ticket.

III. And it shall be in the Power of such Court, upon such Master, or his Security or Securities, giving Security in the Court, to the Party or Parties damnified, to pay his or their Damages, or then in Court paying the same, to order the *Scire Facias* to be for that time wholly withdrawn, and no further Proceedings shall be upon the *Scire Facias* had; otherwise the *Scire Facias* to be prosecuted to Judgement; but no Execution to issue out thereupon, before the Person or Persons aggrieved shall, by *Scire Facias*, summon the Person or Persons against whom the Judgement aforesaid is obtained, to appear and shew cause why Execution should not issue upon the said Judgement; and if the Plaintiff in the said *Scire Facias* shall duly prove what Damages he hath sustained, and thereupon a Verdict be found for him, the Judge or Judges shall, in such Case, award Execution for so much as the Jury shall find, and no more; and the former Judgement is hereby declared still to remain cautionary for Two Years and no longer, for the Satisfaction of such other of their Majesties Subjects as shall legally prove themselves damnified, and recover Damages as aforesaid, by due Course of Law in the Island where the Offence is committed.

On paying or securing Damages, *Scire Facias* to be withdrawn; otherwise Judgment shall be had; but Execution shall not be issued, till Notice given to shew cause against its being awarded; which Execution, if had, shall be for no more than the Jury shall give, and the former Judgement to remain cautionary for Two Years, for the Benefit of others.

IV. Provided always, That unless the said Bonds or any of them are prosecuted and sued within Two Years next after the Date of the same, they and every of them, not sued in the said Time, shall be utterly void and of none Effect, as if they had never been made; any Law, Custom, or Usage whatsoever, to the contrary notwithstanding.

Bonds, not sued in Two Years, void.

Dated in Antigua *the One and thirtieth day of* August, *in the Sixth Year of the Reign of our Sovereign Lord and Lady King* William *and Queen* Mary, Anno Domini *One thousand six hundred and ninety four.*

Chr. Codrington.

An

An Act for securing Payment of the Balance of the General Accounts from the Debtor Islands, to the Island of Antigua. N° 16. Obsolete.

Dated the 1st *September*, 1694.

An Act to settle General Councils and General Assemblies for the Charibbee Leeward *Islands in* America, *and to secure to each particular Island their own peculiar Laws, Liberties, and Privileges.* N° 17. Rejected by Queen *Anne*, by order under the Privy Seal, dated 17 *May*. 1705.

Dated the 2d of *December*, 1701.

An Act to prevent any Trade or Commerce with the French, *or any other foreign Plantation, by the Inhabitants of his Majesty's* Charibbee Leeward *Islands in* America. N° 18. Obsolete.

Dated the 2d of *December*, 1701.

An Act for the better Observation of the Lord's Day, and suppressing of profane Cursing and Swearing. N° 19. Obsolete.

Dated the 3d of *December*, 1701.

An Act for the better and more certain Support of Ministers. N° 20. Obsolete.

Dated the 3d of *December*, 1701.

No 21. Obsolete. *An Act for the securing the Payment of Twelve hundred Pounds for the Ends therein set down.*

Dated the 3d of *December*, 1701.

No 22. Obsolete. *An Act to prevent Papists and reputed Papists from settling in any of these his Majesty's* Charibbee Leeward *Islands in* America.

Dated the 3d of *December*, 1701.

NEVIS.

No 23. Confirmed 17 *May*, 1703. *An Act for the better securing and defending his Majesty's* Charibbee Leeward *Islands in* America, *in case of a War, and to establish a Fund for the same.*

WHEREAS it is necessary to provide for War in time of Peace, but now more especially, when we have so near a Prospect of an approaching War, which must of necessity end in the Ruin of these your Majesty's *Leeward Charibbee* Islands, having a powerful Neighbour which may be our Enemy, if, with a due Relief, all prudent care be not taken to prevent the same:

II. WE therefore your Majesty's most dutiful and loyal Subjects, the Governor in chief of all your Majesty's *Leeward Charibbee* Islands in *America*, the General Council, and General Assembly, at this time convened and met together at *Nevis*, do pray your most excellent Majesty to enact and ordain, and be it, and it is hereby enacted and ordained by the Authority aforesaid, That upon Declaration of War, or an Attack made upon any of these *Leeward Charibbee* Islands by the *French*, or any other Nation in conjunction with them, that the other three Islands do, and are hereby obliged to assist and help them with such military Force as they can spare, and as soon as possible may be; and for the due Encouragement of Volunteers to engage in such Service, each Person that shall list himself for the Service aforesaid, shall receive Nine pence *per diem*, and have a Month's Provision provided for him, and all Officers shall receive for their Pay in proportion with the Officers of his Majesty's regular Troops, and both Officers and

Upon Declaration of War, &c. all the Islands shall assist one another.

Volunteers shall receive 9 pence *per diem*,

and Officers shall be paid as the King's regular Forces.

and Soldiers shall be provided with Ships or Sloops to transport them to the Island attacked, by the respective Island where they inhabit; the number of such Soldiers and Officers to be appointed by the Governor in Chief with consent of Council and Assembly of each respective Island for the time being, their Exportation, Provision, and Pay to be at the immediate Charge of the respective Island from whence they are sent.

Transport Vessels for the Officers, &c. to be provided by the Island that sends them.

III. And be it further enacted by the Authority aforesaid, That all Expresses that shall be sent from any of the said respective *Leeward* Islands, during the Continuance of such War, shall be at the immediate Charge and Expence of each Island they are sent from, and all Prisoners of War taken by any of his Majesty's Ships shall be maintained at the immediate Charge of that Island where they shall be first brought to, and sent to such Place as the Governor in Chief shall think fit, at the same immediate Charge.

Expresses to be at the Charge of the Island sending.

Prisoners of War how to be disposed of, and at whose Charge.

IV. Provided always, and it is the true Intent and Meaning of this Act, That all the before mentioned immediate Charges and Expences made and borne by any of the said several Islands, shall, once in every Two years, be brought to a general Charge and Account, and be paid and be borne by each and every the said Islands, according to the Proportion hereafter following, *viz.* *Antigua* to pay and allow Five Parts of Twelve, of such whole general Charge, *Nevis* Four Parts in Twelve, *Mountserat* Two Parts, and St. *Christophers* One.

All Charges to be accounted for every Two years.

how they shall be proportioned.

V. And be it further enacted by the Authority aforesaid, and it is hereby enacted and ordained, That a sufficient Fund be raised yearly by the Governor in Chief, Council and Assembly of each the said respective *Leeward Charibbee* Islands, to furnish and defray their *Quota* of all their Charges aforesaid, to reimburse that Island that shall have advanced more than their Proportion, all which they promise to do, and bind themselves the one to the other to perform and keep all and every the Clauses in this Act before recited, in the most solemn Manner before God and Man, that is possible for honest Men and good Christians to do.

Each Island to pay its annual *Quota*, &c. and promise faithfully to perform this Act.

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for each and every the said *Charibbee* Islands to equip and fit out, what, and as many Privateers duly commissioned as they think fit, at their own proper Cost and Charge, and that the said respective Islands, where any such Privateer is fitted out, as aforesaid, shall be the proper Port for such Privateers to bring in and sell their Prizes at; and if by Stress of Weather, or any other Accident, they are drove or forced into any of the other three Islands, they shall be courteously received and entertained, and furnished with whatever they may want (if to be had) paying for the same, without delaying or detaining them longer than is necessary.

Each Island may fit out Privateers, &c. who shall bring their Prizes to the Port they were fitted out at, unless forced by bad Weather into others, &c.

VII. And be it enacted and ordained by the Authority aforesaid, and it is hereby enacted, That whereas in case a War should ensue, it may so happen, that the Enemy, out of their Ships of War, Privateers, or other Vessels, may land upon any or every the respective Islands aforesaid, to rob, plunder, burn, and destroy, although they do not intend to conquer the same, which may prove to the extreme Damage, if not the utter Ruin of some particular Persons; therefore be it further enacted by the Authority aforesaid, That if any such Landing to rob, plunder, burn, and destroy, should happen (which God forbid) on any of the respective Islands aforesaid, and any Person or Persons shall receive Loss or Damage thereby, the said Loss and Damage so sustained (be it more or less) shall be made good to the Person or Persons so damnified, by the Treasurer for the time being, out of the Publick Stock of each such respective Island where any such Accident shall or may happen, according to an Estimate as shall be taken

Losses by Enemies landing, &c. to be paid by the Publick Treasury, &c.

how to be estimated.

taken and made by Three able and discreet Freeholders of the Vicinage upon their Oaths, and returned under their Hands and Seals, which shall be thereto directed and appointed by the Governor in Chief, Lieutenant Governor or President, Council and Assembly, of such Island for the time being; any Law, Usage, or Custom to the contrary in any wise notwithstanding.

Exceptions as to the Allowances.

VIII. PROVIDED always, and it is the true Intent and Meaning of this Acts, That no Merchandizes, Goods, Sum or Sums of Money, in any of the Towns on any the respective Islands aforesaid (Houses and Negroes only excepted) are, or are intended to be comprehended and included in, or have any Benefit by this Act, or any Clause therein contained.

Effects may be removed from one Island to another for Security, &c.

IX. AND whereas it may be thought necessary by the Inhabitants of some of the respective *Leeward Charibbee* Islands, in case of a War, to remove their Personal Estates, or part thereof, for better Security, to any other of the Islands aforesaid, be it therefore further enacted by the Authority aforesaid, That no Goods or Chattels so removed, shall be liable to any Arrest Stoppage, Execution, or any Way whatsoever detained for any Debts contracted before such Importation, to hinder the said Importer or Importers from freely enjoying such Personal Estate, or transporting of them back again, within Three Months time after such War may cease, from any of the said Islands to the Island from whence the said Goods and Chattels were brought, or to any other Island within this Government, unless it be for Debts contracted upon any Island since the Importation thereof; any Law, Usage, or Custom, to the contrary in any wise notwithstanding.

Except Debts are contracted since the Importation.

Nevis, December *the Fifth*, Anno Domini *One thousand seven hundred and one.*

No 24. Confirmed 17 *May*, 1703.

An Act for the finding Supernumerary Arms, to be proportionable according to the Number of every Person's Negroes, within these his Majesty's Leeward Charibbee *Islands in* America.

FORASMUCH as it is highly reasonable that every Inhabitant of these his Majesty's *Leeward Charibbee* Islands in *America* should be well armed, as well for Defence of his Majesty's said Islands, as the Preservation of their own Lives and Estates.

II. WE your Majesty's most dutiful, loyal, and obedient Subjects, the Governor in Chief of the said *Leeward Charibbee* Islands, the General Council, and General Assembly, now convened and met in *Nevis*, most humbly pray your most excellent Majesty that it may be enacted, and be it, and it is hereby enacted by the Authority aforesaid, That any Person that is Owner and Possessor in his own Right, or in Trust for any other Person, of Ten Negroes, shall find one Supernumerary Gun, or Fire Arm, over and above what he or they are obliged to find in the Militia of each Island for the Number of Servants they are obliged by the Acts of their respective Islands to keep, although they have not such Servants

vants actually living with them, and every Person that is Owner and Possessor, as aforesaid, of Twenty Negroes, to find Two, and for every Thirty Negroes, Three, and for every Forty, Four, and for every Thirty Negroes, over and above the Number of Forty, One Gun, for every Thirty Negroes over and above the said First Forty; which Guns or Fire-arms shall be well fixed, and full Four Foot in the Barrel, and the Bore of the one Half sufficient to carry a Ball of Eighteen to the Pound, and the other Half, a Ball of Twelve to the Pound, and of the Value of Thirty Shillings Sterling Cost in *England*; and every Person appointed by this Act to find such Guns or Fire-arms, shall, to every such Gun, find one good sizeable Cartridge-box, and have always in readiness Sixteen Cartridges well filled with Powder and Ball, fitting the Bore of each Gun, with spare Screws, Springs, and Hammers, and Six spare Flints to each said Arm, or Gun, at least.

Supernumerary Gun to be found by the Possessor of 10 Negroes, &c. and so in proportion.

Of what Dimensions, &c. each Gun shall be.

One Cartridge-box, and 16 Cartridges &c. to each Gun.

III. And be it further enacted, and it is hereby enacted and declared by the Authority aforesaid, That every Colonel, Lieutenant-Colonel, or Major of every Regiment in the said several and respective Islands, from the Twenty-sixth of *March*, in the Year of our Lord One thousand seven hundred and three, shall have Power and legal Authority to summon all Persons, by this Act appointed to find Supernumerary Arms, every Three Months, at the usual Place of Rendezvous of each respective Company in the said several Islands, commanding them and every of them to appear, or send in to be viewed, at the Times and Places aforesaid, all such Supernumerary Guns or Fire-arms, with their Accoutrements, as aforesaid, in order to inspect the State and Condition thereof; and that every Person appointed to find such Supernumerary Arms, and not bringing or sending of them upon such Summons to the Place appointed, as aforesaid, shall forfeit and pay the Sum of Twenty Shillings; and for the Default or Want of such Gun, so fixed, and of the Length and Bore aforesaid, with its Accoutrements, as aforesaid, the Sum of Three Pounds; and also that every Person appointed to find Supernumerary Arms shall, upon every Alarm, have them ready fixed, as aforesaid, with their Accoutrements, as aforesaid, and bring or send them in to the Parade appointed by their respective Officers to be in a Readiness for Service.

Colonel, &c. may order Supernumerary Arms to be brought to him every three Months,

and fine Defaulters 20s. for not sending them; and when sent, if they are not of the Length, &c. 3 *l.*

On Alarms, all Guns to be sent to the Parade.

IV. Always provided, and it is the true Intent and Meaning of this Act, That whensoever any of the Officers aforesaid shall, either upon Alarm, or otherwise, see Occasion of demanding such Arms, that then such Officer shall, upon his receiving such Arms into his Charge, give a Note from under his Hand, signifying what Number of Arms he hath received; and if it should happen that any such Arms should be broke, or made unfit for Service, the Party to whom the said Arms shall belong, shall repair to the Officer for a Certificate directed to the Treasurer, who is hereby impowered to pay the Party Two Pounds in Money for each Arm so broke, and for every Arm made unserviceable, so much as may repair it.

Officer receiving Arms, to give a Note for them, for which Arms, if broken, &c. Treasurer to pay 40 *s.*

V. And be it further enacted by the Authority aforesaid, That for the better compelling a due Obedience to this Act, it shall and may be lawful to and for the Colonel, Lieutenant-Colonel, or Major of each respective Regiment in all and every the said Islands, to sign Executions against Defaulters aforesaid, and to issue out Warrant under their Hands and Seals, for the levying on the Goods and Chattels of every Defaulter, the several Sums of Money, or Forfeitures aforesaid: And the Field-marshal of each respective Regiment in each said Islands for the Time being, is hereby commanded to execute and levy the same by Distress and Sale of the Goods of the Party offending, rendering the Overplus (if any) to the Owner; but if no Goods or Chattels can be found, it shall and may be lawful to and for the Governor in Chief, Lieutenant-Governor, or President of each respective Island (by Warrant under his Hand and Seal to the Provost-Marshal, or his

On Warrant from Colonel, Forfeitures to be levied by Field-marshal,

and in Default of Distress, Offender may be imprisoned.

lawful Deputy of each ſaid Iſland) to take into his Cuſtody the Body or Bodies of the Party or Parties, when no ſuch Diſtreſs is to be found, (who is hereby impowered and commanded ſo to do) and ſuch Offender or Offenders in ſafe Cuſtody to keep, until he or they ſhall pay his or their reſpective Forfeitures; and in caſe the Colonel, Lieutenant-Colonel, or Major of each Regiment, ſhall neglect to iſſue out his or their Summons every Three Months, for ſuch Review and Muſter of the ſaid Supernumerary Arms, with the Accoutrements, as aforeſaid, that then it ſhall and may be lawful for the Governor in Chief for the time being, Lieutenant-Governor, or Preſident of ſuch Iſland where ſuch Default is made, to mulct or fine ſuch Colonel, Lieutenant-Colonel, or Major, the Sum of Ten Pounds current Money, to be levied upon his Goods and Chattels by Warrant under the Hand and Seal of the ſaid Governor in Chief, Lieutenant Governor, or Preſident of each reſpective Iſland, to the Provoſt-Marſhal, or his lawful Deputy of each ſaid reſpective Iſland; who is hereby commanded to levy and execute the ſame accordingly in Manner and Form aforeſaid, that all the Penalties, Fines, and Forfeitures, mentioned and recited in this Act, ſhall be paid into the Treaſury of each reſpective Iſland, to be by them applied towards purchaſing of Arms and Ammunition for the Uſe of ſuch Iſlands, where ſuch Offence is committed.

Colonel, in Default of viewing the Arms every 3 Months, to be fined 10 *l.* by the Governor.

Forfeitures how to be applied.

Dated in Nevis *the Sixth Day of* December, *and* 13*th Year of His Majeſty's Reign*, Anno Domini *One thouſand ſeven hundred and one.*

An Act to repeal a certain Act againſt the Jews.

N° 25. Confirmed 17 *May*, 1703.

WHEREAS there was an Act paſſed at a Meeting of the General Council and General Aſſembly ſome time ſince held at *Antigua*, intituled, *An Act againſt* Jews *ingroſſing Commodities imported in the* Leeward *Iſlands, and trading with the Slaves belonging to the Inhabitants of the ſame*, bearing Date the laſt Day of *Auguſt*, One thouſand ſix hundred ninety four.

II. AND whereas by their humble Petition directed to his Excellency the preſent Governor in Chief of all your Majeſty's *Charibbee Leeward* Iſlands in *America*, and to the Gentlemen of the General Council and General Aſſembly now met at *Nevis*, have ſet out their many and great Grievances ſuſtained by reaſon of the ſaid Act, praying Relief in the Premiſſes, and alſo promiſing a due Obedience for the future to the Laws of *England*, and theſe Your Majeſty's Iſlands, relating to Trade and Preſervation of the ſame.

III. AND foraſmuch as the ſaid Act hath proved of pernicious Conſequence to the *Jews* reſiding on theſe Iſlands; therefore, for their Encouragement to aſſiſt and defend Your Majeſty's ſaid *Charibbee* Iſlands with the utmoſt of their Power, Strength, and Ability, in Caſe of a War, and to behave themſelves fairly and honeſtly amongſt us for the future;

IV. WE Your Majeſty's moſt dutiful and loyal Subjects, the Governor in Chief of all Your Majeſty's *Charibbee Leeward* Iſlands in *America*, the General Council, and General Aſſembly now met at *Nevis*, do pray your moſt Excellent Majeſty to enact and ordain, and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That the ſaid Act, intituled, *An Act againſt* Jews *ingroſſing Commodities imported into the* Leeward *Iſlands, and trading with the Slaves belonging to the Inhabitants of the*

the same, shall be, and is hereby abrogated and repealed, and all and every Clause thereof, and declared from the Date of these Presents null and void to all Intents and Purposes whatsoever, as if the same had never been made; the said Act, or any other Act, Law, Custom, or Usage to the contrary notwithstanding.

Act against *Jews* repealed.

Dated at Nevis, *the* 10*th of* December, *and Thirteenth Year of His Majesty's Reign*, Anno Domini *One thousand seven hundred and one.*

An Act for the preventing the Abuses in all manner of Lumber, and for the better encouraging of that Trade.

N° 26. Confirmed 17 *May*, 1703.

FOR the preventing of those Frauds and Abuses which have been practised in the Importation of all manner of Lumber into these His Majesty's *Leeward Charibbee* Islands from the Continent of *America*, and for the establishing, settling, and encouraging of that Trade.

II. We your Majesty's most loyal, dutiful, and obedient Subjects, the Governor in Chief of the *Leeward Charibbee* Islands, the General Council, and General Assembly, now assembled in the Island of *Nevis*, most humbly pray your most Excellent Majesty that it may be enacted, and be it, and it is hereby enacted by the Authority aforesaid, That from and after the Expiration of Twelve Months next and immediately after the Publication of this Act in every the several *Charibbee Leeward* Islands belonging to this Government, no Lumber imported into any of these his Majesty's *Leeward Charibbee* Islands from any Part of the Continent of *America*, or from any other Port or Place, being first from thence exported, shall be accounted merchantable, or be exposed to sale in any of his Majesty's *Leeward Charibbee* Islands, but what shall contain the exact Measures and Sizes following (*viz.*) Every Shingle shall be five Inches and an half broad, and seventeen long, every Board one Inch thick, every Plank two Inches thick, and every Stave forty two Inches long, and three quarters of an Inch thick, and four Inches broad; and that all and every such Shingles, Boards, Plank, and Staves imported, as aforesaid, or any Board or Plank, or square Timber that shall be marked for more than the true Measure, shall from thenceforth become forfeited and liable to be burnt.

After 12 Months, what Lumber shall be merchantable:

Assizes thereof.

All Lumber marked for more than its measures, forfeited.

III. And be it further enacted by the Authority aforesaid, That upon Complaint made by any of the Inhabitants of the *Leeward Charibbee* Islands to the next Justice of the Peace of any Abuse in the Importation of any Lumber contrary to the Intent and Meaning of this Act, That then such Justice of the Peace is hereby directed and impowered to grant a Warrant directed to Two or more discreet and knowing Persons, one whereof to be a Merchant, and one to be a Planter; thereby impowering them to view, see, and measure all such Lumber as the said Complainant shall shew unto them, with Power also at any Time of the Day to enter into any Warehouse, Storehouse, or other Place, where such Lumber

On Complaint, Justice may order it to be measured, &c.

Lumber is; and if any Person shall refuse or deny them Entrance (they producing their Warrant aforesaid) then it shall be lawful for them, with the Assistance of one Constable or more, to break any Lock, Bar, Bolt, Staple, or Fastning, and every Constable is in such Case required, upon Notice thereof, to be aiding and assisting to the Persons to whom such Warrant is directed, who are hereby also required, upon Receipt of any such Warrant, to obey the same (provided the Party complaining doth not require him or them to go above five Miles Distance from his or their Place of Abode) and, upon View, to report how they find the same by Indorsement on the Backside of the said Warrant attested under their Hands and Seals, and all such Lumber as they shall report imported contrary to the true Intent and Meaning of this Act, the said Justice of Peace shall, by his Warrant under his Hand and Seal, order and strictly charge one or more of the Constables in the Division where such Lumber is found, to burn the same at the next Port or Place of Importation.

and on Denial of Entrance, may break Bar, &c.

Constable to execute the Warrant, if within 5 Miles, and make his Report on the Back thereof, &c.

IV. And be it further enacted by the Authority aforesaid, That every Ship or Vessel importing and unlading any Lumber, contrary to the true Intent of this Act, into any of the *Leeward Charibbee* Islands, shall be liable to pay for every thousand of Shingles Six Shillings, one hundred Foot of Boards Four Shillings, one hundred Foot of Plank Eight Shillings, one hundred of Staves four Shillings, so imported, and which shall appear in manner aforesaid to be unsizeable and unmerchantable, to be paid to the Treasurer for the Time being of that respective Island, to be by him applied to the Use of the Publick of such Island in which such Lumber shall be imported, One Moiety for the Publick Use, and One Moiety to the Use of the Informer (the Constable being first paid for every Warrant Six Shillings out of the said Forfeiture) and the said Ship not to depart until the same be paid.

Penalties on Ships, &c. importing Lumber contrary to this Act.

How to be disposed of, &c. Constable to be first paid six Shillings for each Warrant. Ship not to depart till Forfeitures are paid.

V. And be it also enacted by the Authority aforesaid, and that every Justice of the Peace, Constable, and other Persons that shall be negligent, or shall refuse in their several Places and Capacities to put this Act in Execution, for each and every Offence, upon due Proof made, shall forfeit and pay, *viz.* Every Justice of the Peace Five Pounds, and every Constable Forty Shillings current Money; all which Forfeitures shall be recovered by any Person that shall sue for the same in any Court of Record within any of the *Leeward Charibbee* Islands where such Forfeitures shall be made, provided the Action be commenced within Six Months after the Offence committed, wherein no Wager of Law shall be allowed, nor more than one Imparlance; any Law, Usage, or Custom to the contrary any ways notwithstanding.

Penalties on Justices, &c. how to be recovered.

Action to be sued in six Months, &c.

Dated in Nevis *the Fifteenth of* December, *and Thirteenth Year of his Majesty's Reign,* Anno Domini *One thousand seven hundred and one.*

An

NEVIS.

An Act for declaring a certain Act of Parliament made at Westminster *in the Seventh and Eighth Years of the Reign of our late Sovereign Lord King* William, *and continued by one other Act made in the Thirteenth and Fourteenth Years of the said King, intituled,* An Act that the Solemn Affirmation and Declaration of the People called *Quakers,* shall be accepted instead of an Oath in the usual Form, *be of Force in these Islands.* № 27.

WHEREAS a certain Act of Parliament made at *Westminster* the Seventh and Eighth Years of the Reign of our Sovereign Lord King *William* the Third, of ever blessed Memory, intituled, *An Act that the Solemn Affirmation and Declaration of the People called* Quakers, *shall be accepted instead of an Oath in the usual Form,* and continued by one other Act past at a Parliament held at *Westminster* in the Thirteenth and Fourteenth Year of the Reign of the said King, and now in Force in the Kingdom, hath been, and is found to be a beneficial Law, and such as, if the same were extended to these Islands, would be an Encouragement to Trade, and a Means to further the Settlement of these Colonies. Recital of Act 7 & 8 *W.* 3. and its Continuance by 13 & 14 *W.* 3.

II. WE therefore pray her most Excellent Majesty that it may be enacted, and be it, and it is hereby enacted by the Chief Governor of her Majesty's *Leeward Charibbee* Islands, and the General Council, and General Assembly of the same, now met at *Nevis,* That the said Act, intituled, *An Act that the Solemn Affirmation and Declaration of the People called* Quakers, *shall be accepted instead of an Oath in the usual Form,* and every Clause, Matter, and Thing therein contained shall, from and after the Tenth Day of this Instant *June,* be in full Force and Power in these her Majesty's *Leeward Charibbee* Islands; any Law, Usage, and Custom to the contrary in any wise notwithstanding. To be in force in the *Leeward* Islands.

Dated in Nevis *this Fourth Day of* June, *One thousand seven hundred and five, and in the Fourth Year of her Majesty's Reign.*

Thomas Bellman *Speaker.*

John Johnson.

NEVIS.

No 28. *An Act to settle General Councils and General Assemblies for the* Charibbee *Islands in* America, *and to secure to each particular Islands their own peculiar Laws and legal Customs.*

WHEREAS there is at this time a General Council and a General Assembly for the *Leeward Charibbee* Islands in *America*, met together at *Nevis* concerning the Publick Affairs, to consult and enact such good and wholsome Laws and Ordinances as may be for the Safety and Advantage of all her Majesty's said Islands.

II. AND whereas the Interest, in point of Trade and Laws, of most of the said Islands, in some Respects do differ the one from the other: Therefore the better to preserve and defend the whole, and to secure to each particular Island their own Laws and legal Customs which are not of a general Concern;

III. WE your Majesty's most dutiful and loyal Subjects the Commander in Chief of all your Majesty's *Leeward Charibbee* Islands in *America*, the General Council and General Assembly of the same now met together at *Charles Town* in the Island of *Nevis*, do pray your most Excellent Majesty to enact and ordain, and be it, and it is hereby enacted and ordained by the Authority aforesaid, That all the Laws and legal Customs now in Force in each and every the *Charibbee Leeward* Islands, and respecting only the Circumstances of the same, be and remain in their full Force and Virtue.

Laws, &c. of each Island to be in Force.

IV. AND be it further enacted, That whensoever the Commander in Chief that now is, or that shall hereafter be, shall judge it necessary for her Majesty's Service, and the Good and Welfare of the *Charibbee Leeward* Islands, to call together the General Council and General Assembly, That then all the Freeholders of each respective Island (that are qualified by Law) shall meet together at a certain Time and Place, to be nominated and appointed by Writ from the Commander in Chief for the time being, in their several respective Islands, to elect and make choice of Five able and discreet men, being Freeholders of and in each and every the said respective Islands, to be their Representives, and to join with the said Commander in Chief and General Council, to make, enact, and ordain such General Laws and Ordinances, as may be proper and convenient for all the *Charibbee Leeward* Islands.

General Assembly to consist of Five Representatives from each Island, &c.

V. AND be it further enacted by the Authority aforesaid, That no Member of the General Council nominated by the Commander in Chief, or Representatives of the General Assembly elected in any of the said several respective Islands for the Service aforesaid, shall be any Way troubled, sued, molested, or arrested for Debt, or otherwise (Murder, Felony, Treason, or other Misdemeanor against the Crown only excepted) by any Person or Persons whatsoever within the said *Leeward Charibbee* Islands, whenever the

Who shall not be suable for Debt, within 10 Days before or after Session, but may for Treason, &c.

the General Council and General Assembly that shall and may be held for the future, but shall have free Liberty to come on and go off of the said Islands where such General Council and General Assembly is, and shall be held, for the Space of Ten Days before, and Ten Days after each Session.

VI. And be it further enacted by the Authority aforesaid, That each and every Person so nominated as a Counsellor, and elected as a Representative to serve in this or any other General Council and General Assembly for the future, shall be allowed and paid by the Treasurer of each respective Island they serve for, out of the Publick Stock of the same, during the Continuance of each and every such Sessions, the Sum of Twenty Shillings *per Diem*; and where the Council and Representatives go off one Island to another, they shall be transported to and from each respective Island at the Publick Charge of that Island for which they serve, and shall be paid their Allowance of Twenty Shillings *per Diem* from the Day they go off, to the Day of their Return, provided their Return be not delayed by their own private Business.

Each Member of Council &c. to be paid 20 s. *per Diem*, during the Session,

and allowed Charges of going from Island to Island.

VII. And be it further enacted by the Authority aforesaid, That if the Members of any one particular Island, whether Council, or appointed by the Commander in Chief, or Representatives elected by the Freeholders, shall neglect and refuse to appear, their delaying and refusing to appear and join with the rest of the said General Council and General Assembly when convened and met together, shall not exempt that Island from the due Obedience and Observance of all and every the Laws and Ordinances that shall be enacted during any such Session of General Council and General Assembly, provided they do not act but when there is present a Majority of the whole Number, but that all such Laws, and Ordinances shall be good and binding to all and every the said *Leeward Charibbee* Islands, to all Intents and Purposes whatsoever.

Each Island to be subject to the Laws, though its Representative is not present in Council;

provided no Laws are made but when a Majority is present.

Dated in Nevis *this Seventh Day of* June, *in the Fourth Year of her Majesty's Reign,* Anno Domini *One thousand seven hundred and five.*

Thomas Bellman *Speaker.*

John Johnson

An Act declaring a certain Act made at Nevis *the Fifth Day of* September, *One thousand six hundred eighty seven, intituled,* An Act against engrossing Provisions, *shall be in Force in all the* Leeward Charibbee *Islands in* America.

N° 29. Obsolete.

Dated the 8*th of* June, 1705.

An

No. 30. Obsolete.

An Act for declaring an Act made in Antigua, *intituled,* An Act for holding a Court of Chancery in this Island by the Lieutenant Governor or President in Council, in the Absence of the Commander in Chief, and for the more speedy Dispatch of Causes in the said Court, *to be in Force in all the* Leeward Charibbee *Islands in* America.

Dated the 20*th of* June, 1705.

NEVIS.

No. 31.

An Act for preventing tedious and chargeable Law Suits, and for declaring the Rights of particular Tenants.

WHEREAS Law Suits and Controversies frequently arise between the Inhabitants of these Islands, principally occasioned by the different Nature and Circumstances of our Estates from those in *England*, whereby it sometimes hath happened, through the Partiality of some, and Ignorance of others, that contradictory Judgements have been given in Cases founded on the same Rules and Principles of Law and Reason; for the redressing of which Mischiefs, and establishing a constant and certain Uniformity in the Proceedings of the Courts of the several Islands under this Government, and for declaring the Rights of particular Tenants in these Islands:

II. WE your Majesty's most dutiful and loyal Subjects, the Commander in Chief of your Majesty's *Leeward Charibbee* Islands, the General Council, and General Assembly of the said Islands, now met at *Nevis*, do humbly pray your Majesty that it may be declared, and it is hereby declared by the Authority aforesaid, That the Common Law of *England*, as far as it stands unaltered by any written Laws of these Islands, or some of them, confirmed by your Majesty, or some of your Royal Predecessors in Council, or by some Act or Acts of Parliament of the Kingdom of *England*, extending to these Islands, is in Force in each of these your Majesty's *Leeward Charibbee* Islands, and is the certain Rule whereby the Rights and Properties of your Majesty's good Subjects inhabiting these Islands, are and ought to be determined; and that all Customs or pretended Customs, or Usages contradictory thereunto, are illegal, null, and void.

How far the Common Law of *England* is in force here, &c.

Pretended Customs to the contrary void.

III. AND be it, and it is hereby declared, That all Negroes and other Slaves, Coppers, Stills, and all Cattle, Horses, Asses, commonly used and exercised upon and about any Plantation or Plantations, and all other Plantation

Negroes, &c. used with Plantation, made Freehold, &c.

tation Utensils are Inheritance, and affixed to the Freehold, and are with the Plantation descendable to the Heir at Law, and the Widow dowable as well of them and every of them, as of the Lands and Tenements whereof her Husband died seized; and that such Widow may and shall recover the mesne Profits of such Plantation, Negroes, Cattle, Horses, Asses, or other Hereditaments whereof she shall be so endowed, against the Party or Parties that have received or detained the same, in Damages by Action upon the Case in any Court of Record in that Island, wherein the Estate, whereof Dower is so recovered, lies, or by Suit in Equity against the Party or Parties, their Executors, or Administrators, that have received or denied the same.

Widow dowable out of them, &c

IV. PROVIDED always, That the said Plantation, or the Works thereon being, shall not be divided or otherwise parted than by Allotment of the third Part of the Dwelling-house with its Appurtenances and necessary Conveniencies, to the Tenant in Dower for her Habitation, or convenient Reception, upon the said Plantation, when she shall think fit to repair thereunto; which third Part of the Dwelling-house, the Provost Marshal or his lawful Deputy, upon Application to him made, shall set out to such Tenant in Dower, and shall forthwith put her in quiet and peaceable Possession of the same; and that none of the Negroes or other Slaves, Coppers, Stills, Cattle, Horses, Asses, or other Plantation Utensils whatsoever, to such Plantation belonging, shall be carried off, or imployed from the said Plantation, otherwise than by the immediate Service thereof, by such Tenant in Dower, or by the Heir, or him or them in Reversion or Remainder, but that each of them shall join in carrying on the Interest for the best Advantage of all the Parties concerned.

Proviso.

V. AND be it hereby declared and enacted, That where any Person hath or shall, by his last Will and Testament in Writing, devise any Part of his Estate, or of the Profits thereof, amounting in Value to a third Part of his Estate, whereof she was dowable, and, omitting to declare such Devise to be in Bar of her Dower, shall devise the rest, Residue, or Remainder of his Estate to any other Person or Persons, that such Devise to his Wife shall be taken and construed to be a complete Bar of her Dower, unless such Devisee, being of full Age, shall disagree to the said Devise, and claim or demand her Dower within Three Years after the Death of her Husband, or after her having arrived at the Age of One and twenty Years.

Exception in case of Wills.

VI. PROVIDED always, That this Act, nor any thing therein contained, shall extend, or be construed to extend, to impeach or make void an Act made for Provision of younger Children of Fathers dying intestate, intituled, *An Act for making the Negroes, Coppers, Mills, and Stills of Intestates Estates, Chattels*; which Act was made by the President and Council of *Nevis*, executing the Office of Lieutenant General and Assembly of the Island of *Nevis*, on the Twenty-fifth Day of *March*, in the Year of our Lord One thousand six hundred and ninety nine, and stands confirmed by his late Majesty King *William* the Third, in Council; but that the same, and every Clause, Matter, and Thing therein contained, shall be and remain in full Force; and that the several Islands under this Government shall be at liberty to enact the same Law; any thing in this Act to the contrary, or seeming to the contrary in any wise notwithstanding.

Not to make void the Act concerning Intestates.

VII. PROVIDED also, That where any Person is intitled to Dower of any Parcel of Land unsettled, that a Warrant shall go out to the Provost-Marshal of the Island wherein such Land lies, at the Prayer either of the Tenant who is so intitled to Dower, or of the Party or Parties in Reversion or Remainder, requiring him within Eight Days from

The Widow's third Part to be settled by a Jury.

the Day of the Date of the ſaid Warrant to impanel a Jury of Twelve good and lawful Freeholders of ſuch Iſland, wherein ſuch Land lies; who ſhall, upon their Oaths, ſet out the third Part of the ſaid Land to the Party ſo intitled to Dower, by her to be held in ſeveralty, by Metes and Bounds; any thing in this Act, or any other Law, or Statute, contained to the contrary notwithſtanding.

Dated at Nevis *the Twentieth Day of* June, Anno Domini *One thouſand ſeven hundred and five, and in the Fourth Year of her Majeſty's Reign*, &c.

Thomas Bellman *Speaker*.

John Johnſon.

No. 32. *An Act for the ſupplying the Want of Fines and Recoveries in theſe Iſlands, and for making any Deed or Deeds, duly executed and acknowledged before any of her Majeſty's Juſtices of the Court of Common Pleas in the Kingdom of* England *or* Ireland, *or of any of theſe Iſlands, equivalent to a Fine and Recovery, or Fines and Recoveries, duly and regularly levied and ſuffered in any of her Majeſty's Courts of Record at* Weſtminſter.

WHEREAS Fines with Proclamations and Common Recoveries are become the Common Aſſurances of your Majeſty's Kingdom of *England*, at leaſt ſuch a neceſſary Part thereof, as without them the Inheritance of Femes Coverts, or their Right or Title to Dower, or any other Eſtate of Freehold, nor Eſtates of Tenants in Tail, General or Special, or the Reverſion and Reverſions, Remainder and Remainders thereupon depending, cannot be barred.

II. AND whereas ſuch Fines cannot be duly levied in theſe Iſlands for want of proper Offices, or Common Recoveries well ſuffered, for want of ſet Days for the Return of Writs, or for the Appearance of the Parties to ſuch Recoveries, the Courts of Law in theſe Iſlands uſually holding but one Day, or two at the moſt; for remedying which Miſchief, and to the Intent that the Want of Fines and Recoveries in theſe Iſlands may be effectually ſupplied, by making other Conveyances, attended with particular Circumſtances herein after mentioned, equivalent thereunto:

III. WE your Majeſty's moſt dutiful and loyal Subjects do pray your moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the Commander in Chief of theſe your Majeſty's *Leeward Charibbee* Iſlands in *America*, the General Council, and General Aſſembly of the ſaid Iſlands now met at *Nevis*, and by the Authority of the ſame, That a Deed or Deeds in due Form of Law, made and executed by the Huſband and Wife, of the Plantations, Lands, and Tenements, Negroes, and other Hereditaments of the Wife, or of any Plantation, Lands, and Tenements, Negroes, and other Hereditaments whereof the Husband was ſolely and in his own Right ſeized at any time during the Coverture, or whereof the Husband or

Deeds acknowledged before Juſtice of the Common Pleas in *England*, &c. ſhall bar Femes Covert, &c.

or Husbands and Wife were ſeized in right of the Wife, or the Husband jointly with the Wife, or by Tenant in Tail, General or Special, and by the Party or Parties, and each of them, from whom the Intereſt paſſes, acknowledged before ſome of her Majeſty's Juſtices of the Court of Common Pleas in the Kingdom of *England* or *Ireland*, or of any of your Majeſty's *Leeward Charibbee* Iſlands, wherein ſuch Plantation, Lands, Tenements, Negroes, and other Hereditaments, do lie, ſhall, to all Intents and Purpoſes, be as effectual and valid in the Law, to paſs all the Eſtate, Right, Title, Intereſt, and Claim of the Party or Parties, and of each of them, to ſuch Deed or Deeds, in or to all or any the Plantation or Plantations, Lands, Tenements, Negroes, or other Hereditaments, by ſuch Deed or Deeds granted, conveyed, or made over, or thereby intended to be granted, conveyed, or made over to the Perſon or Perſons, Bargainee or Bargainees, Grantee or Grantees, in the ſaid Deed or Deeds mentioned, their Heirs and Aſſigns for ever, to whom or to whoſe Uſe any Eſtate in ſuch Plantation or Plantations, Lands, Tenements, Negroes, or other Hereditaments is by the ſaid Deed or Deeds limited, bargained, ſold, granted, or conveyed, according to the ſeveral Limitations in the ſaid Deed or Deeds contained, as if the Party or Parties to the ſaid Deed or Deeds, from whom the Intereſt moves, had levied a Fine or Fines with Proclamations, or ſuffered a Common Recovery or Recoveries of ſuch Plantation or Plantations, Lands, Tenements, Negroes, and other Hereditaments in any of their Majeſties Courts of Record at *Weſtminſter*, and duly executed Deeds leading the Uſes of ſuch Fine or Fines, or declaring the Uſes of ſuch Recovery or Recoveries to be to ſuch Bargainee or Bargainees, Grantee or Grantees, their Heirs and Aſſigns for ever, to whom or to whoſe Uſe ſuch Plantation or Plantations, Lands, Tenements, Negroes, and other Hereditaments are, by the Deed or Deeds ſo to be executed and acknowledged, as is above mentioned, limited, and conveyed, or that the ſame and every Part thereof had been bargained, ſold, conveyed, or ſet over by any the firmeſt Deed or Deeds, Conveyance or Conveyances, Aſſurance or Aſſurances in the Law, that could be adviſed or deviſed by Council learned in the Law.

IV. PROVIDED always, That the Wife, who is Party to any ſuch Deed or Deeds, be of full Age at the time of the Execution thereof, and be privately and apart examined by the Judge, before whom ſuch Deed or Deeds is acknowledged, whether ſhe do execute the ſame freely, voluntarily, and without Fear, Threats, or Compulſion, of or by her Husband uſed; which Examination of the Wife ſhall be indorſed, together with the Acknowledgement of the Party or Parties, from whom the Intereſt by the ſaid Deed or Deeds paſs: And ſuch Acknowledgements ſhall be ſubſcribed by the Judge before whom the Acknowledgements of ſuch Deed or Deeds is taken, and by and before whom ſuch Wife is privately examined.

Wife to be privately examined, whether ſhe does execute the ſame freely, &c.

and ſuch Examination ſhall be indorſed on the back of the Deeds, and ſubſcribed by the Judge,

V. AND be it further enacted by the Authority aforeſaid, That all and every Deed or Deeds ſo executed and acknowledged, as aforeſaid, ſhall be inrolled at length in the Secretary's or Regiſter's Office of that Iſland, wherein the Eſtate ſo granted or conveyed lies (if the ſaid Deed or Deeds be executed and acknowledged in any of theſe your Majeſty's *Leeward Charibbee* Iſlands) within Six Kalendar Months after the Acknowledgment of ſuch Deed or Deeds; and in Caſe the ſaid Deed or Deeds ſhall be executed and acknowledged within either of your Majeſty's Kingdoms of *England* or *Ireland*, that the ſame ſhall be inrolled at length in the High Court of Chancery of that Kingdom, wherein the ſame was executed and acknowledged, within Six Kalendar Months after the Acknowledgment thereof; and that the Acknowledgment of ſuch Deed or Deeds ſo ſubſcribed by the Judge before whom the ſame was taken (as before

and inrolled at length within Six Months in the Secretary's Office there, &c.

but if in *England*, &c. then within Six Months in the Court of Chancery there,

and the Record, &c. to be admitted as Evidence, if the Original is mislaid.

before is directed) shall be a sufficient Proof of the due Execution of the said Deed or Deeds, and the Record, or an Exemplification, or attested Copy of such Deed or Deeds shall be admitted and allowed to be given in Evidence upon any Trial at Law, or Hearing in Equity, where the Original Deed or Deeds is or are mislaid, and cannot be produced; any Law, Statute, or Usage to the contrary in any ways notwithstanding.

Dated in Nevis, *the Twenty first Day of* June, Anno Domini *One thousand seven hundred and five, and in the Fourth Year of her Majesty's Reign.*

Thomas Bellman *Speaker.*

John Johnson.

NEVIS.

No. 33. *An Act to secure the Payment of the Ministers Dues.*

WHEREAS notwithstanding the many good and pious Laws which have been enacted, and still continue in Force on the several Islands of this Government, for providing a convenient and certain Maintenance for the Clergy, it nevertheless so happens, that by the Avarice of some, and the Negligence of others, that Ministers of the Gospel are in some Points miserably disappointed of their legal Dues, and of a reasonable Support, in contempt of Authority, in Breach of publick Faith, and to the great Scandal and Reproach of the Colonies:

Ministers to receive 16,000*l.* of Sugar *per Annum*, and so proportionably.

II. BE it therefore, and it is hereby enacted by the Commander in Chief of her Majesty's *Leeward Charibbee* Islands in *America*, and the General Council, and General Assembly of the same, That every Clerk now presented, or who hereafter shall be presented by the Chief Governor for the time being to any Benefice within any of these your Majesty's Islands, St. *Christopher's*, *Nevis*, *Antigua*, and *Mountserrat*, shall be intitled to, and receive an annual Stipend of Sixteen thousand Pounds of good merchantable *Muscovado* Sugar, and so in Proportion to the Time he or they shall serve in their respective Cures; which said Stipend shall be raised, collected, and paid by such Methods as are already or shall hereafter be established by the Vestry Acts of each particular Island; but that if under any Colour or Pretexts, or by any Neglect or Deficiency whatsoever, the Incumbent of any Parish within this Government of the *Leeward* Islands, have now, or hereafter shall have more than One Year's Stipend due to him from his Parishioners, it shall and may be lawful for the Commander in Chief of these Islands for the time being, upon Application made to him, to commissionate under his Hand and Seal Seven Persons (being principal Freeholders of the Island) of which Four to be a *Quorum*, who shall by virtue of such Commission be fully authorized and impowered to act and do every thing that a Vestry chosen by the Parishioners might or could have done, and to compel the Payments of all or

Which shall be levied by Distress on those, &c. who shall be one Year in Arrears, &c.

any Arrears due from any Person or Persons whatsoever, whereby the Complainants Accounts may be adjusted, and all that shall appear to be justly due to him from his Parish paid; which when done the Commission to be void, and the Overplus (if any levied) returned to the Churchwardens of the Parishes; and that the Accounts may be more fairly stated and adjusted, the Commissioners are hereby authorized and impowered to demand a Sight of the Parish Books, to send for Persons and Papers, and to administer Oaths to all Parties concerned.

Commissioners may demand a Sight of Parish Books, &c.

III. And be it further enacted by the Authority aforesaid, That every Commissioner appointed by virtue of this Act, shall take the following Oath:

Commissioner's Oath.

I A. B. *do swear, That I will faithfully and conscientiously discharge the Trust reposed in Me by the Commission, under which I am now about to act, according to the true Intent and Meaning thereof,*

So help me God.

IV. And be it further enacted, That the Commissioners appointed, or to be appointed by virtue of this Act, are hereby obliged fully to execute the said Commission, so that the Complainant may receive full Payment and Satisfaction of his just Dues and Demands, within Twenty eight Days at furthest after due Notice given of the said Commission; and that the same may be effectually executed, the Provost Marshal or his lawful Deputy is hereby required to attend the said Commissioners, and is further impowered and authorized to execute such Orders and Precepts as shall be directed to him under the Hands and Seals of the said Commissioners, or any Four of them, by virtue of and in Execution of their Commission, and for his Trouble and Pains shall receive such reasonable Fees as the Commissioners shall appoint, to be paid out of the Levy raised out of the Parish complained of by virtue of this Act.

Commissioners fully to execute the Commission in 28 Days after Notice, Marshal to attended Commissioners, &c.

who shall appoint him his reasonable Fees, &c.

V. And be it provided, That if the Marshal shall refuse or neglect effectually to execute such Precepts as shall be directed to him in pursuance of this Act, he shall forfeit Two hundred Pounds current Money of these Islands, suffer Two Months Imprisonment, and be rendred incapable of his Employ for ever; of which Forfeiture or Forfeitures One Moiety shall be to the Informer, and the other to the Use of the Poor of the Parish complained of. And for the more effectual Encouragement of Virtue, and Suppression of Immorality and Vice amongst the Clergy in these Islands:

Marshal on Neglect of Duty forfeits 200*l.* &c.

Forfeitures how to be applied.

VI. Be it enacted and ordained by the Authority aforesaid, That if any beneficed Clergyman in these Islands shall, by the Oaths of Two or more lawful or credible Witnesses, be convict before the Commander in Chief, or Lieutenant Governor, or President of the Island, where such Clergyman has his Cure, of any habitual Immorality or Irreligion, and scandalous Practices, that it shall and may be lawful for the said Commander in Chief for the time being, Lieutenants Governor, or President, by or with the Advice and Consent of the Council, before whom the Party accused is so convict, to suspend the Party so convict from his Benefice, the Profits thereof to be applied to the Publick Uses of the Parish, whereof the Person so suspended was Incumbent; and the said Commander in Chief shall give notice of said Suspension with the Reasons thereof to the Lord Bishop of *London* for the time being, by the first convenient Opportunity that offers for its so being done, that his Lordship may give such Directions therein as to him shall seem meet.

For what Causes Clergymen may be suspended, &c.

and how the Profits of his Benefice shall be applied.

Notice to be sent to the Bishop of *London*, &c.

Dated this 22*d Day of* June 1705. *and in the* 4*th Year of her Majesty's Reign.*

Thomas Bellman *Speaker*. John Johnson.

N° 34. Expired, being complied with.

An Act for obliging Joseph Crisp *of the Island of St.* Christopher's, *Esq; to account for and satisfy the Islands of* Nevis, Antigua, *and* Mountserrat, *for sundry Goods of the said Islands intrusted with him some Years past.*

Dated 22*d* June, 1705.

N° 35. Obsolete.

An Act for establishing Courts, and setting due Methods for the Administration of Justice throughout all her Majesty's Leeward Charibbee *Islands in* America.

Dated 22*d* June, 1705.

THE

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